

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
\$21,000.00, U.S. Currency,	§	
Defendant in rem.	§	

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against \$21,000.00 in United States currency and alleges the following in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure.

Nature of the Action

1. This is an action to forfeit Defendant in rem to the United States pursuant to 31 U.S.C. § 5317(c)(2).

Defendant in Rem

2. Defendant in rem is \$21,000.00 in United States currency that was seized from Hyune Jung Yoon on April 29, 2010, at the George Bush Intercontinental Airport in Houston, Texas.

Jurisdiction and Venue

3. This Court has jurisdiction pursuant to 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1355 and 1395 (a) and (b) because:

- a. the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas;
- b. the property was found in the Southern District of Texas; and
- c. this forfeiture action accrued in the Southern District of Texas.

Basis for Forfeiture

5. The Defendant in rem is subject to forfeiture under 31 U.S.C. § 5317(c)(2). This section provides for the civil forfeiture of any property involved in violations of 31 U.S.C. §§ 5316 and 5324(c).

6. Under 31 U.S.C. § 5316(a)(1)(B), a person or an agent or bailee of the person shall file a report under subsection (b) of this section when the person, agent, or bailee knowingly transports, is about to transport, or has transported, monetary instruments of more than \$10,000 at one time to a place in the United States from or through a place outside the United States. United States currency is a monetary instrument under 31 U.S.C. §5312(a)(3)(A).

7. Under 31 U.S.C. § 5324(c)(1) and (2) no person shall, for the purpose of

evading the reporting requirements of section 5316, fail to file a report required by 31 U.S.C. § 5316, file a report required by 31 U.S.C. § 5316 that contains a material omission or misstatement of fact, or both.

Facts

8. On April 29, 2010, Mr. Hyune Jung Yoon, arrived into the United States of America from the Republic of Honduras aboard Continental Airlines flight #763 at the George Bush Intercontinental Airport, Houston, Texas. While being processed through customs, he presented to a U.S. Customs and Border Protection officer (CBP Officer) a U.S. Customs Declaration form on which he stated that he was not carrying currency over \$10,000. He stated verbally that he was carrying not more than \$6,000. On the reverse side of the Customs Declaration form, he signed his name indicating that he had only \$6,000.

9. A CBP Officer inspected Mr. Yoon's luggage. The officer found concealed in several notebooks and ledgers approximately \$21,646. Mr. Yoon told the officer that he decided to lie about the money he was carrying to avoid inspection. The officer returned \$646 to Mr. Yoon, and the officer seized for forfeiture \$21,000.

Relief Requested

10. Plaintiff requests a) an arrest Warrants and summons, citing all persons

having an interest in the Defendant in rem to appear on the return day of process by filing a claim and answer pursuant to Rule G(5), Supplemental Rules for Certain Admiralty and Maritime Claims, or as ordered by this Court, b) a judgment of forfeiture, and c) costs and other relief to which the Plaintiff may be entitled.

Dated: May 11, 2010.

Respectfully submitted,

José Angel Moreno
United States Attorney

By: /s/ Albert Ratliff
Albert Ratliff
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VERIFICATION

I, Don Parkinson, Senior Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this verified complaint for forfeiture in rem, and the facts stated in this complaint are true and correct to the best of my knowledge and

belief.

Executed on May 11, 2010.

A handwritten signature in black ink, appearing to read 'D. Parkinson', is written over a horizontal line.

Don Parkinson, Senior Special Agent
U. S. Immigration and Customs Enforcement